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10 Attorneys for Defendant  
11 DaimlerChrysler Corporation

12 UNITED STATES DISTRICT COURT  
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA

14 DAVID BELL and GARY ERLINGER,  
15 Individually and on Behalf of All Others  
16 Similarly Situated,

17 Plaintiffs,

18 v.

19 DAIMLERCHRYSLER CORPORATION

20 Defendant.

CASE NO. C 05-2971 CW

**STIPULATION AND ~~[PROPOSED]~~  
ORDER STAYING ACTION**

AS MODIFIED

1 The parties to the above-captioned action (the "Parties"), by and through their respective counsel  
2 of record, hereby stipulate as follows:

3 WHEREAS the Parties have reached a nationwide class action settlement of this matter and  
4 related matters in other courts;

5 WHEREAS on June 1, 2006, the settlement was preliminarily approved by the Superior Court  
6 of New Jersey, Bergen County in *Lubitz, et al. v. DaimlerChrysler Corp*, Docket No. BER-L-4883-  
7 04 ("*Lubitz*");

8 WHEREAS, the Court in *Lubitz* has currently scheduled a Fairness Hearing for October 30,  
9 2006 to determine, *inter alia*, whether the settlement will be finally approved;

10 AND WHEREAS, the Parties agree that in the interest of efficiency, this matter should not be  
11 actively litigated while the settlement is pending final approval,

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IT IS HEREBY STIPULATED by and between the Parties that this action be stayed pending (1) a dismissal to be filed by Plaintiffs after final approval of the settlement by the Court in *Lubitz*; or (2) a status conference to be held thirty (30) days after the date of the Fairness Hearing, on November 29, 2006, if the matter has not yet been dismissed.

**ATTESTATION OF JAMES P. FOGELMAN**

I, James P. Fogelman, hereby attest that the contents of this document are acceptable to all persons required to sign it. I further attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/s/) within this efiled document.

Dated: June 26, 2006

GIBSON, DUNN & CRUTCHER LLP  
G. Charles Nierlich  
Gail E. Lees  
James P. Fogelman

  
James P. Fogelman

Attorneys for Defendant  
DaimlerChrysler Corporation

Dated: June 26, 2006


STULL, STULL & BRODY  
Timothy J. Burke

/s/ \_\_\_\_\_  
Timothy J. Burke

Attorneys for Plaintiffs  
David Bell and Gary Erlinger

IT IS SO ORDERED: THE CASE MANAGEMENT CONFERENCE PREVIOUSLY SET FOR 9/22/06 IS CONTINUED TO 1/12/07 AT 1:30 P.M.

Dated 7/7/06

  
Honorable Claudia Wilkin  
United States District Court  
Northern District of California

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**CERTIFICATE OF SERVICE**

I, Paul W. Edwards, declare as follows:

I am employed in the County of Los Angeles, California ; I am over the age of eighteen years and am not a party to this action; my business address is 333 S. Grand Ave., Los Angeles, California 90071, in said County and State. On June 26, 2006, I served the following documents:

**(1) STIPULATION AND [PROPOSED] ORDER STAYING ACTION**

on the parties stated below, by the following means of service:

**SEE ATTACHED LIST**

☒ **BY ELECTRONIC E-FILE SERVICE:** On the above-mentioned date, I caused the above mentioned document(s) to be electronically filed and served to all ECF (Electronic Case Filing) Registered Counsel of Record.

☒ **(FEDERAL)** I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 26, 2006



Paul W. Edwards

**SERVICE LIST**

***Bell, et al. v. DaimlerChrysler Corp.***  
**United States District Court**  
**For The Northern District of California**  
**Oakland Division**  
**Case No. C 05-2971 CW**

**By Electronic Service**

<b>Counsel</b>	<b>Party</b>	<b>Fax/Tel. Numbers</b>
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Gary S. Graifman Kantrowitz Goldhamer & Graifman PC 747 Chestnut Ridge Road Chestnut Ridge, NY 10977	Plaintiffs David Bell and Gary Erlinger	Phn: (845) 356-2570 Fax: (845) 356-4335